

REMARKS

Claims 1 through 17 are pending in the application. Claim 1 is an independent claim with claims 2 through 10 depending therefrom. Claim 11 is an independent claim with claims 12 through 17 depending therefrom.

Claims 1 through 4, and 6-17 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Published Application No. 2002/0077618 to Molas. Claim 5 stands rejected as obvious under § 103(a) in view of the Molas '618 publication and the UK '659 patent.

Applicants respectfully submit that all pending claims as amended and presented herein patentably distinguish over the cited references and are allowable for at least the reasons discussed below.

The Examiner's thorough consideration of Applicants' last Amendment is duly noted and appreciated. Applicants respectfully submit that all pending claims as amended and presented herein patentably distinguish over the references as applied in the Final Office Action, and are allowable for the reasons set forth below.

The § 102 rejection of independent claims 1 and 11 is premised on the side areas 4, 5 of the panty liner 1 in the Molas '618 publication satisfying the "protective wing portions" set forth in the respective independent claims. Applicants respectfully submit that the side regions 4 and 5 in Molas '618 are not "wing portions" as the structure is commonly known and understood by those skilled in the art. Those in the art recognize and understand that "wing portions" are not components of the absorbent pad structure, but are extensions that extend laterally away from the sides of the absorbent pad structure. The wing portions are not absorbent and do not constitute

side or lateral regions of the pad component. Molas '618 acknowledges the differences between the side areas 4, 5 and conventional "winged" structures:

The invention is, however, distinct from conventional "winged" panty liners as the invention is convertible for use in hourglass or thong panties. The wings on such conventional products are centrally located and are solely for attachment to the panty. (paragraph 0035)

The panty liner 1 of Molas '618 is a complete absorbent pad structure without wings. The side areas 4, 5 of the absorbent pad structure may be folded at embossed lines 2 for use of the pad 1 with a thong panty. However, in this configuration, the side areas 4, 5 simply constitute folded portions of the absorbent pad structure. As admitted by Molas '618, the side regions do not constitute conventional winged structure.

A person of ordinary skill would recognize that a wing structure is identified by its lateral extension from the main absorbent body of a panty liner or absorbent pad. Additionally, the person of ordinary skill would understand that a wing portion is not identified by a portion of the main body of the panty liner or absorbent pad that extends beyond the side edges of the crotch region of the associated undergarment. For use in conventional panties, the entire pad 1 of Molas '618, including the side regions 4,5, functions as a conventional panty liner (without wings). The embossed line 2 in the pad 1 simply defines fold lines for folding the side regions of the absorbent pad structure when the pad is used with a thong panty. However, such fold lines do not convert the side regions into winged portions as the term is commonly understood by those of ordinary skill in the art.

So that there can be no question as to the distinction between the pad component and wing portions in the pad of the present application, independent claims 1 and 11 are amended herein to set forth that the pad component includes a sealed

peripheral edge between the top cover and the baffle, and that the absorbent structure is disposed between the top cover and baffle and circumscribed or bordered solely by this peripheral edge. The wing portions extend laterally outward from the lateral sides of the sealed peripheral edge of the pad component, and the absorbent structure does not extend into the wing portions. Thus, there can be no question that the wing portions do not include the absorbent structure, and are not a section or region of the pad component. The wing portions are separate structure that extend from the lateral sides of the pad component.

It is respectfully submitted that the amendments to the independent claims are proper at this stage of prosecution in that the structure has obviously been considered and searched for by the Examiner. The amendments serve to clarify that the claimed “wing portions” correspond to the wing structure commonly understood and known by those skilled in the art. There is no indication in the present specification that the applicants intended to give the “wing portion” structure any meaning other than that commonly understood by those skilled in the art. Consideration of the proposed amendment to independent claims 1 and 11 does not require undue additional work on the part of the Examiner.

Accordingly, independent claims 1 and 11 are allowable over Molas '618 for at least the reasons that the pad according to Molas '618 does not include wing portions that extend from the peripheral edge of the pad component, with the pad component expressly defined to include the absorbent structure disposed within the sealed peripheral edge of the top cover and baffle.

Dependent claims 2 through 5 are allowable for at least the reasons claim 1 is allowable.

Dependent claim 6 is allowable over Molas '618 for the additional reason that the pad 1 of Molas '618 does not include structure configured for variably positionable fold lines. The side regions 4, 5 are foldable solely along the embossed line 2 when the pad is configured with a thong panty. The fold lines 2 are permanently set into the absorbent pad structure, and are not variable or changeable in any way.

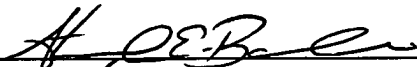
Independent claim 11 has been amended to include a limitation similar to that of dependent claim 6, namely that the wing portions have dimensions so as to be foldable along variably positionable laterally inboard fold lines. Independent claim 11 is thus allowable for the additional reasons discussed above with respect to claim 6. The amendment to claim 11 also traverses the § 112, first paragraph, rejection of claim 11.

Dependent claims 12 through 17 are allowable or at least the reasons claim 11 is allowable.

With the present Amendment, applicants respectfully submit that all pending claims are allowable over the cited art of record, and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience to resolve any remaining issues.

Respectfully submitted,

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